

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RUSSELL F. SHEEHAN, as he is ADMINISTRATOR,
ELECTRICAL WORKERS' HEALTH AND
WELFARE FUND, LOCAL 103, I.B.E.W.;
ELECTRICAL WORKERS' PENSION FUND,
LOCAL 103, I.B.E.W.; ELECTRICAL WORKERS'
SUPPLEMENTARY HEALTH AND WELFARE
FUND, LOCAL 103, I.B.E.W.; ELECTRICAL
WORKERS' DEFERRED INCOME FUND,
LOCAL 103, I.B.E.W.; ELECTRICAL WORKERS'
JOINT APPRENTICESHIP AND TRAINING
FUND, LOCAL 103, I.B.E.W.; ELECTRICAL
WORKERS' EDUCATIONAL AND CULTURAL
FUND; ANTHONY J. SALAMONE, as he is
ADMINISTRATOR, NATIONAL ELECTRICAL
BENEFIT FUND; and LOCAL 103, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL WORKERS,
DPW

C.A. No. 04-11970

Plaintiffs

vs.

A.C. ELECTRICAL SYSTEMS, INC.,
Defendant

and

SOVEREIGN BANK,
Trustee

ORDER FOR PRELIMINARY INJUNCTION

This matter, having come before me on the Plaintiffs' Motion for Preliminary Injunction, and upon consideration of the motion, memorandum of law, and affidavit on file, to which no opposition has been filed, I find the motion well founded and that:

Defendant is bound by the terms of the 2000-2003 collective bargaining agreement with Local Union, 103, I.B.E.W to furnish to Plaintiffs employment records and a current list of projects, including the names and addresses of the owner, manager, general contractor and or

subcontractor for whom it has worked, and to allow Plaintiffs to examine its payroll records.

Further, I find that:

- 1) Plaintiffs have exhibited a likelihood of success on the merits;
- 2) There is no adequate remedy at law;
- 3) Defendant's refusal to permit an audit will result in irreparable injury, loss, and damage to Plaintiffs; and
- 4) The issuance of a preliminary injunction herein will not cause undue inconvenience or loss to Defendant but will prevent irreparable injury to Plaintiffs, and would further the public interest.

WHEREFORE, it is hereby ORDERED that:

Plaintiffs shall be granted a preliminary injunction and A.C. Electrical Systems, Inc., its officers, agents, employees, accountants, and assigns shall cooperate with the designated auditors of the I.B.E.W., Local 103 Trust Funds and shall provide all pertinent books and records of A.C. Electrical Systems, Inc. in their possession for the period from February, 2004 to the present.

SO ORDERED.



The Honorable Douglas P. Woodlock
United States District Court

Dated: January 14, 2005